

Service Date: January 4, 2013

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF the Complaint of)	
JAMES T. & ELIZABETH A. GRUBA,)	REGULATORY DIVISION
LEO G. AND JEANNE R. BARSANTI, &)	DOCKET NO. D2010.2.14
MICHAEL W. AND FRANCES E. PATERSON,)	
on Behalf of Themselves and)	
Others Similarly Situated)	
)	
Complainants,)	
)	
v.)	
)	
NORTHWESTERN ENERGY,)	
)	
Defendant)	

NOTICE OF STAFF ACTION

On July 3, 2012, the Montana Public Service Commission issued a Notice of Complaint ordering Northwestern Energy to file a response to Complainants' Second Amended Complaint, which was filed June 11, 2012. In response Northwestern Energy filed a Motion to Suspend Proceedings, requesting that the PSC suspend the case "pending a determination by the Montana Supreme Court on an issue currently before it on appeal." Complainants had appealed to the Supreme Court two issues relating to their original Complaint. On September 25, 2012, the Commission granted Northwestern Energy's Motion to Suspend Proceedings, pending the conclusion of the Montana Supreme Court case.

On December 20, 2012, the Montana Supreme Court issued its opinion in the appeal filed by Complainants, affirming the decision of the Thirteenth Judicial District Court in Yellowstone County. *Williamson v. Montana Public Service Commission and Northwestern Energy*, DA 12-0317, 2010 MT 299.

The proceedings at the Montana Supreme Court have concluded, and therefore, the Commission's previous Notice of Complaint, requiring Northwestern Energy to respond to the Second Amended Complaint, is given effect. Northwestern Energy is called upon to satisfy or answer the Complainants' Second Amended Complaint in writing within twenty (20) days of service of this Notice. Further information can be found at the Commission's Procedural Rules concerning complaints. ARM 38.2.2101 *et seq.*

BY THE MONTANA PUBLIC SERVICE COMMISSION

TRAVIS KAVULLA, Chairman
GAIL GUTSCHE, Vice Chair
W. A. (BILL) GALLAGHER, Commissioner
BRAD MOLNAR, Commissioner
JOHN VINCENT, Commissioner